

29-MAR-2011 14:50

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T-869 P.001/008 F-681

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March 29, 2011

CONTINUING THE PRACTICE OF
GEORGE H. RICHES AND ASSOCIATES
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MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA, U.S.A.
22313-1450

*Original Hand Delivered
Copy by Facsimile
No. 571-273-2885
Pages Sent: 8*

Re: PHILLIPS, Stanley; PHILLIPS, Shirley and PHILLIPS, Andrew
Patent Application in the U.S.
Serial No. : 10/589148 Filing Date: March 3, 2005
Examiner : MAYEKAR, Kishor
Art Unit : 1759
Our Case : P44606
Title : Apparatus for Generating Ozone and/or
O1 Using a High Energy Plasma
Discharge

Dear Sirs:

SECOND RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

It has come to the undersigned's attention that the applicant's amendment submitted March 15, 2011 in response to the Notice to File Corrected Application Papers contains a further clerical error in replacement drawings page 4/5. In particular, the applicant's substitute drawings page 4/5, which is intended to include the missing figure label "Figure 5" is incorrectly labelled as "Figure 4".

Accordingly, enclosed in response to the Notice to File Corrected Application Papers mailed February 24, 2011, please find the following:

- (1) A further duplicate copy of Notice to File Corrected Application Papers;
- (2) A second amendment pursuant to 35 USC 1.121, including:
 - (i) Additional annotated drawing sheet 4/5; and
 - (ii) Replacement drawing sheet 4/5.

It is believed that the enclosed response and amendment are such as to fully comply with the Notice to File Corrected Application Papers. In the event any defects remain, the Commissioner is requested to contact the undersigned at 416-961-5000.

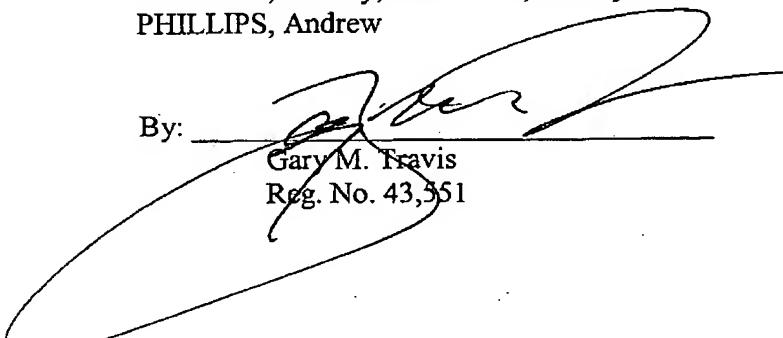
- 2 -

The Commissioner is hereby authorized to charge any additional required fee, including any necessary filing, search, examination, claims or surcharge fees which may be required (other than the issue fee) or credit any overpayment to our Deposit Account No. 18-1350.

If necessary, it is hereby petitioned that, under 37 CFR 1.136, the response term in this application be extended to a date which includes the filing date of the present response. The Commissioner is hereby authorized to charge any additional necessary extension fees, or any additional claims fees which may be necessary or credit any overpayment thereto to our Deposit Account No. 18-1350.

Respectfully submitted,

PHILLIPS, Stanley; PHILLIPS, Shirley and
PHILLIPS, Andrew

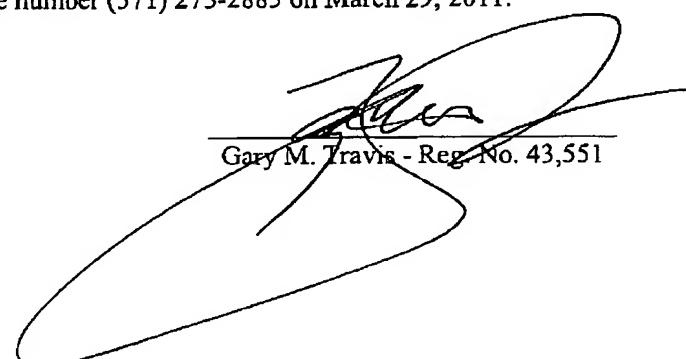
By: 

Gary M. Travis
Reg. No. 43,551

GMT/sll
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Items noted above

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademarks Office at facsimile number (571) 273-2885 on March 29, 2011.


Gary M. Travis - Reg. No. 43,551

29-MAR-2011 14:51

FROM-Riches McKenzie & Herbert LLP

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Application No. : 10589148
Applicant : Phillips
Filing Date : 08/11/2006
Date Mailed : 02/24/2011

COPY

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 month(s) from the mail date of this Notice within which to respond.

The informalities requiring correction are indicated in the attachment(s). If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to respond within the above-identified time period will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment(s).

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

/Shirley Winslow/
Publication Branch
Office of Data Management
(571) 272-4200

Application No. 10589148Drawings filed 08/11/2006

IDENTIFICATION OF DRAWING DEFICIENCIES

- There is a hole or the image thereof within the illustration. FIG(s)
- The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s)
- An ink stamp or the image thereof obscures part of the illustration. FIG(s)
- The drawing is marred by black smudges, obliterations, or fax/copier marks (for example, speckles or dots in a substantial portion of the drawing). FIG(s)
- Figure numbers are duplicated or missing. FIG(s) 2, 3, & 5
- Drawing sheet or figure is missing. FIG(s)
- Numbers, letters, or reference characters in the drawing have been crossed out or are illegibly handwritten. FIG(s)
- The character of the lines, numbers, and letters is poor. FIG(s)
- The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s)
- The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s)
- Data, a reference number, or part of the drawing is truncated or missing, or a lead line has no reference number. FIG(s)
- The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s)
- The drawing and/or the FIG. label contain(s) foreign language. FIG(s)
- A petition under 37 CFR 1.84(a)(2) to accept color drawings has been granted, but the brief description of the drawings in the specification does not contain (or has not been amended to contain) the paragraph required by 37 CFR 1.84(a)(2)(iv).
- OTHER:
- COMMENTS:
Drawings on pages 2/5, 3/5 and 4/5 are missing figure labels.